

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Rand Corporation,

Plaintiff,

v.

Civil Action No. 07cv510 (ADM/JSM)

Yer Song Moua; Manisy Moua; and
John Doe and Mary Rowe,

Defendants.

MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Rand respectfully brings this Motion requesting the Court issue an Order:

1. Granting its motion for summary judgment on Count I in its Complaint, for a determination that (1) Rand fully complied with its TILA and HOEPA notice obligations and gave the Mouas proper notice of their rescission rights on April 22, 2005, (2) the Mouas failed to timely exercise any rescission rights by MIDNIGHT on April 26, 2005, (4) Rand's Mortgage and its subsequent foreclosure of the Mortgage were valid and enforceable, (5) Rand is the lawful owner of the Property due to the expiration of the statutory redemption period, and entitled to immediate possession of the Property.; and
2. The Mouas' affirmative defenses and counterclaims are dismissed in their entirety with prejudice.
3. For such other and further relief as the Court deems just and proper.

This Motion is based upon all the files, records and proceedings herein and upon the

Memorandum of Law, Affidavits and the arguments of counsel.

WILFORD & GESKE

Dated: March 16, 2007

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